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PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/839,778
Filing Date	April 20, 2001
First Named Inventor	Herron et al.
Group Art Unit	1641
Examiner Name	G. Gabel
Attorney Docket Number	0274.02-3278.1US (U-2541.1)

### ENCLOSURES (check all that apply)

- ☒ Postcard receipt acknowledgment (attached to the front of this transmittal)
- ☒ Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16
- ☐ Preliminary Amendment
- ☐ Response to Restriction Requirement/Election of Species Requirement dated
- ☐ Amendment in response to office action dated
- ☒ Amendment under 37 C.F.R. § 1.116 in response to final office action dated December 31, 2003
- ☐ Additional claims fee - Check No. in the amount of \$
- ☐ Letter to Chief Draftsman and copy of FIGS. with changes made in red
- ☐ Transmittal of Formal Drawings
- ☐ Formal Drawings ( sheets)

- ☐ Information Disclosure Statement, PTO/SB/08A (08-00); ☐ copy of cited references
- ☐ Supplemental Information Disclosure Statement; PTO/SB/08A (08-00); copy of cited references and Check No. in the amount of \$180.00
- ☐ Associate Power of Attorney
- ☐ Petition for Extension of Time and Check No. in the amount of \$
- ☐ Petition
- ☐ Fee Transmittal Form
- ☐ Certified Copy of Priority Document(s)
- ☐ Assignment Papers (for an Application)

- ☐ Terminal Disclaimer
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Remarks

The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Brick G. Power

Registration No. 38,581

Signature

Date

March 31, 2004

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1641

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Herron, et al.

**Serial No.:** 09/839,778

**Filed:** April 20, 2001

**For:** DIAGNOSTIC DEVICE AND  
METHOD

**Examiner:** G. Gabel

**Group Art Unit:** 1641

**Attorney Docket No.:** 0274.02-3278.1US

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**AMENDMENT UNDER 37 C.F.R. § 1.116**

Mail Stop AF  
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P.O. Box 1450  
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Sir:

This communication is being filed in response to the Final Office Action mailed on December 31, 2003, the initial period for response to which is set to expire on March 31, 2004.

**Amendments to the claims** are set forth in the listing of the claims, which begins on page 2 of this paper; and

**Remarks** start at page 6 of this paper.